



PTO-1390 (Rev. 07-2005)
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TRA	TRANSMITTAL LETTER TO THE UNITED STATES ATTORNEY'S DOCKET NUMBER 22/2-191-6/- NATTI					
D	ESIGNATED/ELECTED	2343-181-64 NATL				
CON	CERNING A SUBMISSIO	N UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)			
INTERNAT	IONAL APPLICATION NO.	INTERNATIONAL FILING DATE	10/541,246 PRIORITY DATE CLAIMED			
_	04/00740	14 January 2004	14 January 2003			
TITLE OF I	NVENTION METHODS OF PRE	PARATION OF LIVE ATTENU	ATED BACTERIAL VACCINES BY			
ALTERA'	<u> </u>	ETHYLASE (DAM) ACTIVITY	IN THOSE BACTERIA			
	T(S) FOR DO/EO/US	•				
	. LAWRENCE, et al.	1. D	2010			
			O/US) the following items and other information:			
		ncerning a submission under 35 U.S.C. 371	·			
2. LXJ T	his is a SECOND or SUBSEQUENT so	ubmission of items concerning a submission	n under 35 U.S.C. 371.			
	his is an express request to begin nation (5), (6), (9) and (21) indicated below.	onal examination procedures (35 U.S.C. 37	1(f)). The submission must include items			
4. T	he US has been elected (Article 31).	,				
5.	A copy of the International Application	as filed (35 U.S.C. 371(c)(2))				
	a. is attached hereto (required	only if not communicated by the Internation	nal Bureau).			
	b. has been communicated by	the International Bureau.				
	c. is not required, as the applic	cation was filed in the United States Receive	ing Office (RO/US).			
6.	An English language translation of the	e International Application as filed (35 U.S.C	C. 371(c)(2)).			
	a. is attached hereto.					
	b. has been previously submit	ted under 35 U.S.C. 154(d)(4).				
7.	Amendments to the claims of the Inte	rnational Application under PCT Article 19	(35 U.S.C. 371(c)(3))			
	a. are attached hereto (requir	red only if not communicated by the Interna	tional Bureau).			
	b. have been communicated	by the International Bureau.				
	c. have not been made; how	ever, the time limit for making such amenda	nents has NOT expired.			
	d. have not been made and v	vill not be made.				
8. 🗀	An English language translation of th	e amendments to the claims under PCT Ar	ticle 19 (35 U.S.C. 371(c)(3)).			
9.	An oath or declaration of the inventor	(s) (35 U.S.C. 371(c)(4)).	•			
10	An English language translation of the Article 36 (35 U.S.C. 371(c)(5)).	e annexes of the International Preliminary E	Examination Report under PCT			
Items	11 to 20 below concern document(s) or information included:	•			
11. <u>x</u>	An Information Disclosure Statement	under 37 CFR 1.97 and 1.98.				
12.	An assignment document for recording	ng. A separate cover sheet in compliance w	ith 37 CFR 3.28 and 3.31 is included.			
13. 📙	A preliminary amendment.					
14.	An Application Data Sheet under 37 (CFR 1.76.	•			
15. 🗀	A substitute specification.	•	.•			
16.	A power of attorney and/or change of	address letter.	- 1927			
17.	A computer-readable form of the sequence	uence listing in accordance with PCT Rule	13ter.2 and 37 CFR 1.821- 1.825.			
18.	A second copy of the published Interr	national Application under 35 U.S.C. 154(d)	(4).			
19. 🔲		ge translation of the international application				

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO.					ATTORNEY'S DOCKET NUMBER		
10/541,246 PC			PCT/US04/0074	0	2343-181-64 NATL		
ID		neet, Form	PTO-1449, Cite lated Cases	d Documents	(51), Stateme	nt of	
The follo	owing fees have b	een submitted			CALCULATIONS	PTO USE ONLY	
	•			\$300	\$		
22.	nination fee (37 CF	R 1.492(c))	5.04.5 V				
by IPEA/	US indicates all cl	aims satisfy provis	national preliminary examinations of PCT Article 33(1)-(4)\$0	\$		
If the written opin IPEA/US Search fee (37 C International Sea previously	indicates all claim FR 1.445(a)(2)) ha onal Searching Au irch Report prepar y communicated to	or the International satisfy provision as been paid on the thorityed by an ISA other to the US by the IB.	I preliminary examination rest of PCT Article 33(1)-(4) e international application to than the US and provided	\$0 to the USPTO as an \$100 to the Office or \$400	\$		
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sequenc electroni	e listing in complia c medium) (37 CF	and drawings filed nce with 37 CFR 1 R 1.492(j)).	in paper over 100 sheets (1.821(c) or (e) or computer of paper or fraction thereof.	program listing in an			
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CLAIMS	NUMB	ER FILED	NUMBER EXTRA	RATE	\$		
Total claims		- 20 =		x \$50	\$		
Independent clai	ms	- 3 =		× \$200	\$		
MULTIPLE DEPI	ENDENT CLAIM(S	6) (if applicable)	· · · · · · · · · · · · · · · · · · ·	+ \$360	\$		
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$		
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			1.21(h)). The assignment m 40.00 per property		\$		
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a. 🗌	A check in the amount of \$ to cover	r the above fees is enc	losed.
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d. 🗆	Fees are to be charged to a credit card. WARNING: Information be included on this form. Provide credit card information and		
	Where an appropriate time limit under 37 CFR 1.495 has not anted to restore the International Application to pending state		o revive (37 CFR 1.137(a) or (b)) must be filed
Pate DLA 120	eent Group A Piper Rudnick Gray Cary US LLP O Nineteenth Street, N.W. Shington, D.C. 20036-2412	Pine I NAME 48,32	

Docket No.: 2343-181-64 NATL

IN THE UNITED STATES PATENT AND TRADEMARK

IN RE APPLICATION: Mark L. LAWRENCE, et al.

GROUP ART UNIT:

SERIAL NUMBER: 10/541,246

EXAMINER:

FILED: July 1, 2005

COD. METHODS

METHODS OF PREPARATION OF LIVE ATTENUATED BACTERIAL VACCINES BY ALTERATION OF DNA

ADENINE METHYLASE (DAM) ACTIVITY IN THOSE BACTERIA

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Assistant Commissioner for Patents PO BOX 1450 ALEXANDRIA, VA 22313-1450

Sir:

Applicant(s) wish(es) to disclose the following information.

REFERENCES

Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- without fee and within three months of the filing date of the application.
- without fee and within three months of the date of entry of the U.S. national stage.
- without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- □ without fee and with the appropriate certification above.
- without fee and with a new CPA application.
- without fee and with a Request for Continued Examination.
- with fee and before the mailing date of any Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

James M. Heintz

Registration No. 41,828

Ping Wang, M.D. Registration No. 48,328

1200 Nineteenth Street, N.W. Washington, DC 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085

DOCKET NO. 2343-181-64 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Mark L. LAWRENCE

ART UNIT:

SERIAL NO.: 10/541,246

EXAMINER:

FILING DATE: January 14, 2004

FOR:

METHODS OF PREPARATION OF LIVE ATTENUATED BACTERIAL

VACCINES BY ALTERATION OF DNA ADENINE METHYLASE (DAM)

ACTIVITY IN THOSE BACTERIA

STATEMENT OF RELEVANCY

ASSISTANT COMMISSIONER FOR PATENTS PO BOX 1450 **ALEXANDRIA, VA 22313-1450**

SIR:

This Statement of Relevancy is herewith submitted with the concurrently filed Information Disclosure Statement. The below cited German language articles are submitted for consideration in the examination of the above-identified application in which an English language translation of the articles could not be located.

1. Geschwend, et al., Berl. Munch Tierarztl Wschr, Vol. 110, (1997).

The above cited article briefly describes that Pasteurella multocida and Pasteurella haemolytica produce specific proteins in the outer membrane under iron-depleted conditions. Pasteurella multocida serovar A expresses these proteins of molecular masses of 76 and 96 kDa as determined by electrophoresis. The analogous serovar D produces a further iron-regulated protein of 85 kDa. The Pasteurella haemolytica strains of serovar A1, A6 and T contain iron-regulated outer membrane proteins of molecular masses of 71, 77 and 100 kDa. These proteins possess binding positions for iron ions. This article also briefly describes that both *Pasteurella multocida* and *Pasteurella haemolytica* strains utilize iron from porcine and bovine transferrin, but not from haemin and haemoglobin.

Consideration of the above cited references with all Information Disclosure Materials concurrently filed is respectfully requested.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

James M Heintz

Registration No. 41,828

Ping Wang

Registration No. 48,328

1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085

DOCKET NO.: 2343-181-64 NATL

LIST OF RELATED CASES

Docket Number	Serial or Patent Number	Filing or Issue Date	Status or Patentee
2343-013-27	5,403,863	04-04-06	Granted
2343-179-27	10/767,441	01-30-04	Pending
2343-181-64 NATL	10/541,246	07-01-05	Pending
2343-203 NATL	11/372,187	03-10-06	Pending

The cases listed on this Notice of Related Cases include cases which may contain information that is material to patentability. The listing of a case on this Notice should not be taken as an indication or admission that any information contained therein is material. Prior art for each case listed on this Notice may have been cited. The files corresponding to the listed cases, which are available to the Examiner, may not have not been examined to ascertain the materiality of any prior art therein. Accordingly, the Examiner is requested to review the file for each case listed on this Notice in order to assess the materiality of such prior art.

^{*}Present application; listed for information.

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				Mark L. Lawrence, et al.				
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Form PTO 1449 U.S. DEPARTMENT OF			DOCKET NO.		SERIAL NO.
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-		OTHER REFERENCES	(Including Author, Title, Date, Pertino	ent Pages, Etc	c.)
	CA	Fleischmann, et al., "Whole-Ge Vol. 269, pp. 496-512, 1995.	enome Random Sequencing and Assen	nbly of <i>Haem</i>	nophilus influenza Rd", Science,
	СВ	Palmer, et al., "The <i>dam</i> and <i>da</i> 12, 1994.	cm strains of Escherichida coli - a revi	iew", Gene, \	/ol. 143, Supplement 37, pp. 1-
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	СН	Jablonski, et al., "Conditions for 12, pp. 63-68, 1992.	or transformation of Pasteurella multo	ocida by elect	roporation", Micro. Pathog., Vol.
	CI	Jonczyk, et al., "The <i>Escherich</i> Vol. 217, pp. 85-96, 1989.	chia coli dam gene is expressed as a distal gene of a new operon", Mol. Gen. Genet.,		
	CJ	Herman, et al., "Escherichia co Vol. 145, pp. 644-646, 1981.	oli K-12 Clones That Overproduce da	m Methylase	Are Hypermutable", J. Bacteriol.,
	CK		tagenesis in dam - Mutants of Escheric ce", Mol. Gen. Genet., Vol. 163, pp. 3		
	CL	Bale, et al., "Characterization of 59, pp. 157-165, 1979.	of DNA Adenine Methylation Mutants	s of <i>Escherici</i>	hia coli K12", Mutant. Res., Vol.
	СМ	Marinus, et al., "Biological Fu Biol., Vol. 85, pp. 309-322, 19	nctions for 6-Methyladenine Residues 974.	in the DNA	of <i>Escherichia coli</i> K12", J. Mol.
	CN		uence of the <i>dam</i> Methylase of <i>Eschel</i> n., Vol. 254, No. 4, pp. 1408-1413, 19		12 and Mode of Cleavage of <i>Dpn</i>
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	СО	Modrich, "Methyl-directed DN	JA Mismatch Correction", J. Biol. Cho	em., Vol. 264, No. 12, pp. 6597-6600, 1989.	
	СР	Marinus, et al., "Correlation of 12", Gene, Vol. 28, pp. 123-12	FDNA adenine methylase activity with spontaneous mutability in <i>Escherichia coli</i> K-25, 1984.		
	CQ	Heithoff, et al., "Salmonella D Immun., Vol. 69, No. 11, pp. 6	· ·	Fer Cross-Protective Immunity", Infect. and	
	CR	Confer, et al., "Antibody responses, Vol. 57, No. 10, pp. 1452	onses of cattle to outer membrane proteins of <i>Pasteurella multocida</i> A:3", Am. J. Vet 33-1457, 1996.		
	CS	Adler, et al., "Candidate vaccing, 1999.	ne antigens and genes in Pasteurella multocida", J. of Biotechnol., Vol. 73, pp. 83-		
	СТ	Cardella, et al., "Vaccination S Vol. 51, pp. 204-211, 1987.	Studies Against Experimental Bovine	Pasteurella Pneumonia", Can. J. Vet. Res.,	
	ation with live Pasteurella species", Am. J. Vet				
	CV -		f a Live <i>Pasteurella multocida</i> Vaccinosis", Vet. Microbiol., Vol. 21, pp. 14	e for the Prevention of Experimentally Induced 7-154, 1989.	
	CW	Paustian, et al., "Pasturella mi 69, No. 6, pp 4109-4115.	ultocida Gene Expression in Response	to Iron Limitation", Infect. and Immun., Vol.	
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in conformance and not considered. Include copy of this form with next communication to Applicant.